

TANNENBAUM HELPERN SYRACUSE & HIRSCHTRITT LLP
900 THIRD AVENUE
NEW YORK, NEW YORK 10022-4775
(212) 508-6700
FACSIMILE: (212) 371-1084

L. Donald Prutzman
Writer's Direct Dial: (212) 508-6739
E-mail: Prutzman@thsh.com

August 19, 2015

VIA ECF

The Honorable Vernon S. Broderick
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Highline Capital Management LLC v. Highline Wealth Management LLC*
15 Civ 5175 (VSB)

Dear Judge Broderick:

I, along with David H. Bernstein of Debevoise & Plimpton, represent the plaintiff in the above-captioned action. I write concerning the scheduling of an Initial Conference in the action. The case was initially assigned to Judge Schofield. By Order dated July 9, 2015, Judge Schofield scheduled an Initial Conference before her for August 26, 2015 at 11:30am in her courtroom. On July 13, 2015, this action was reassigned to this Court. Approximately two weeks ago I contacted Ms. Williams, the Courtroom Deputy, to clarify the status of the August 26 conference in light of the reassignment. As I understood the conversation, Ms. Williams advised that the Court might or might not hold an Initial Conference on August 26 and that the parties would be informed through an Order entered on the docket.

Because no such Order has been entered to date, I write to confirm that the Court does not plan to hold the conference on August 26 or, if that is not the case, to request that the Initial Conference be scheduled for a later date. Neither I nor Mr. Bernstein is available on August 26. Further, a conference on August 26 would be premature as the defendants have not yet been served or responded to the Complaint. I have been in contact with Kevin Oliveria, Esq. of Odin Feldman Pittelman in Reston, Virginia, who represents the defendants. He advises that his clients currently intend to return the waivers of summons I sent pursuant to Fed. R. Civ. P. 4(d) and that he will represent them in the action. I have also conferred with Mr. Oliveria concerning

TANNENBAUM HELPERN SYRACUSE & HIRSCHTRITT LLP

The Honorable Vernon S. Broderick
August 19, 2015
Page 2

availability for an Initial Conference and determined that the parties could be available on September 23 or September 30 if either date is convenient to the Court. Accordingly, I request that under the circumstances no conference be scheduled for August 26.

Respectfully submitted,



L. Donald Prutzman

cc: Kevin T. Oliveria, Esq. (via email)